

**HOUSE JOURNAL  
63RD LEGISLATURE  
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
February 6, 2013

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Wilson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives O'Neil, Warburton and Squires, excused. Quorum present.

**BILLS** (O'Hara, Chair): 2/6/2013

Correctly printed: **HB 71, HB 89, HB 195, HB 200, HB 239, HB 264, HB 278, HB 290, HB 321, HB 347, HB 375, HB 376, HB 390, HB 391, HB 392, HB 393, HB 394, HJR 10, SB 15, SB 16, SB 30, SB 32, SB 52, SB 60, SB 72, SB 73, SB 87.**

Correctly engrossed: **HB 87, HB 153, HB 247, HB 280, HB 330, HB 333.**

Correctly enrolled: **HB 56.**

Delivered to the Governor for approval at 11:45 a.m., February 6, 2013: **HB 92.**

Transmitted to the Senate: **HB 157, HB 187, HB 206, HB 210.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Randall, Chair): 2/5/2013

**SB 60**, be concurred in. Report adopted.

**SB 72**, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Welborn, Chair): 2/5/2013

**HB 247**, introduced bill, be amended as follows:

1. Page 1, line 12 through line 13.

**Strike:** "game" on line 12 through "87-2-101," on line 13

**Insert:** "antelope, deer, elk, or moose"

2. Page 2, line 9 through line 10.

**Strike:** "game animals" on line 9 through "birds" on line 10

**Insert:** "antelope, deer, elk, or moose"

3. Page 4, line 15.

**Strike:** "game animals" through "upland game birds"

**Insert:** "antelope, deer, elk, or moose"

And, as amended, do pass. Report adopted.

**HB 278**, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**BUSINESS AND LABOR** (Berry, Chair):  
**HB 87**, introduced bill, be amended as follows:

2/6/2013

1. Page 1, line 13.

**Strike:** ", including" through "18042,"

2. Page 1, line 17.

**Strike:** "5"

**Insert:** "4"

3. Page 2, line 10.

**Following:** "33"

**Strike:** ", "

**Insert:** "and"

4. Page 2, line 11.

**Strike:** ", and federal law"

5. Page 2, line 17.

**Strike:** "5"

**Insert:** "4"

6. Page 2, line 20 through line 21.

**Strike:** subsection (1) in its entirety

**Renumber:** subsequent subsections

7. Page 2, line 27 through line 28.

**Strike:** subsection (i) in its entirety

**Renumber:** subsequent subsections

8. Page 3, line 8.

**Following:** "state"

**Strike:** "or federal"

9. Page 4, line 2.

**Following:** "33"

**Insert:** ", except that the administrative rules may not include by reference any provisions of Public Law 111-148 and Public Law 111-152 or any regulations promulgated under those laws"

10. Page 4, line 9.

**Strike:** "(2)(d)"

**Insert:** "(1)(d)"

11. Page 4, line 10.

**Strike:** "(5)"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**Insert:** "(4)"

12. Page 4, line 11 through line 12.

**Strike:** "and" on line 11 through "seq." on line 12

13. Page 4, line 12 through line 13.

**Strike:** "file" on line 12 through "services" on line 13

**Insert:** "publish the finding on the commissioner's website"

14. Page 4, line 22 through line 27.

**Strike:** section 4 in its entirety

**Renumber:** subsequent sections

15. Page 4, line 30.

**Strike:** "5]."

**Insert:** "4] , except that the administrative rules may not include by reference any provisions of Public Law 111-148 and Public Law 111-152 or any regulations promulgated under those laws."

16. Page 5, line 28.

**Strike:** "5"

**Insert:** "4"

17. Page 6, line 2.

**Strike:** "5"

**Insert:** "4"

18. Page 6, line 4.

**Strike:** "5"

**Insert:** "4"

19. Page 6, line 10 through line 12.

**Strike:** section 9 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 264**, do pass. Report adopted.

**HB 280**, introduced bill, be amended as follows:

1. Title, page 4.

**Strike:** "SICKNESS"

**Insert:** "DISABILITY"

2. Page 1, line 24.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**Strike:** "sickness"

**Insert:** "disability"

3. Page 1, line 27.

**Strike:** "sickness"

**Insert:** "disability"

**Following:** "health or"

**Strike:** "sickness"

**Insert:** "disability"

4. Page 1, line 29.

**Following:** "health or"

**Strike:** "sickness"

**Insert:** "disability"

5. Page 2, line 1.

**Strike:** "sickness"

**Insert:** "disability"

6. Page 2, line 6.

**Following:** "health or"

**Strike:** "sickness"

**Insert:** "disability"

7. Page 2, line 17.

**Strike:** "sickness"

**Insert:** "disability"

8. Page 2, line 27.

**Following:** "health or"

**Strike:** "sickness"

**Insert:** "disability"

9. Page 3, line 12.

**Following:** "health or"

**Strike:** "sickness"

**Insert:** "disability"

10. Page 3, line 15.

**Following:** "Health or"

**Strike:** "sickness"

**Insert:** "disability"

11. Page 4, line 9.

**Following:** "health or"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**Strike:** "sickness"

**Insert:** "disability"

12. Page 4, line 18.

**Strike:** "sickness"

**Insert:** "disability"

13. Page 4, line 25.

**Following:** "health or"

**Strike:** "sickness"

**Insert:** "disability"

14. Page 4, line 26.

**Strike:** "sickness"

**Insert:** "disability"

15. Page 7, line 27.

**Strike:** "sickness"

**Insert:** "disability"

And, as amended, do pass. Report adopted.

**HB 321**, do pass. Report adopted.

**HB 333**, introduced bill, be amended as follows:

1. Page 1, line 29.

**Following:** "coffee or"

**Insert:** "hot"

And, as amended, do pass. Report adopted.

**HB 347**, do pass. Report adopted.

**JUDICIARY** (Kerns, Chair):

2/6/2013

**HB 290**, do pass. Report adopted.

**HB 330**, introduced bill, be amended as follows:

1. Title, line 7.

**Strike:** "40-4-214,"

2. Page 2, line 10.

**Following:** "Act.]"

**Insert:** "[(6) The social security number, if known, of a person subject to a decree of dissolution or a support order must be recorded in the records relating to the matter. The social security number may be included in the state case registry and vital statistics reporting form

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

filed pursuant to 40-5-908(1). The recordkeeper shall keep the social security number from this source confidential, except that the number may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.]"

**Renumber:** subsequent subsections

3. Page 2, line 12.

**Following:** "Procedure."

**Insert:** "(Bracketed language terminates on occurrence of contingency--sec. 1, Ch. 27, L. 1999.)"

4. Page 5, line 11.

**Following:** "order,"

**Insert:** "the child support enforcement division,"

5. Page 6, line 13.

**Following:** "order,"

**Insert:** "the child support enforcement division,"

6. Page 7, line 21.

**Following:** "order,"

**Insert:** "the child support enforcement division,"

7. Page 8, line 17.

**Following:** "order,"

**Insert:** "the child support enforcement division,"

8. Page 10, following line 27.

**Insert:** "The information provided under subsection (6)(a) may be included on the case registry and vital statistics reporting form filed with the court pursuant to 40-5-908(1)."

9. Page 12, line 24 through line 29.

**Following:** "hearing."

**Strike:** remainder of line 24 through line 29 in their entirety

10. Page 13, line 1.

**Strike:** section 8 in its entirety

**Renumber:** subsequent sections

11. Page 17, following line 14.

**Insert:** "NEW SECTION. Section 12. Contingent termination. The amendments to 40-4-105(6) terminate on the occurrence of the contingency contained in section 1, Ch. 27, L. 1999."

And, as amended, do pass. Report adopted.

**SB 73**, be concurred in. Report adopted.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**TAXATION** (Miller, Chair):

2/6/2013

**HB 153**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Following:** "CREDITS"

**Insert:** "TO AN EMPLOYER"

2. Title, page 1, line 5.

**Strike:** "A VETERAN"

**Insert:** "NATIONAL GUARD, RESERVE, OR ACTIVE DUTY VETERANS"

3. Title, page 1, line 7.

**Strike:** "AND"

**Insert:** ", "

**Following:** "APPLICABILITY DATE"

**Insert:** ", AND A TERMINATION DATE"

4. Page 2, line 24.

**Following:** line 24

**Insert:** "NEW SECTION. **Section 6. Termination.** [This act] terminates December 31, 2018."

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

2/5/2013

**HB 34**, introduced by Boland

**HB 35**, introduced by Miller

**HB 51**, introduced by Edmunds

**Senate bills** passed and transmitted to the House for concurrence:

2/5/2013

**SB 20**, introduced by Jent

**SB 103**, introduced by Webb

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 375**, introduced by Ballance, Boulanger, Thomas, referred to Agriculture.

**HB 376**, introduced by Ballance, Boulanger, Thomas, referred to Fish, Wildlife and Parks.

**HB 390**, introduced by McNiven, Blasdel, Blyton, Glimm, Hansen, Salomon, Vance, referred to

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Education.

**HB 391**, introduced by G. Bennett, Ballance, Blasdel, Blyton, Brodehl, T. Brown, Ehli, Fiscus, Fitzpatrick, Glimm, Hansen, Harris, Ingraham, Jackson, Knudsen, Laszloffy, Lavin, Lenz, Lewis, O'Hara, Osmundson, Randall, Regier, Taylor, Vance, Wagoner, Walker, Washburn, Webb, Windy Boy, Zolnikov, referred to Judiciary.

**HB 392**, introduced by Doane, Ankney, Berry, Randall, Redfield, Rosendale, Salomon, Welborn, referred to Natural Resources.

**HB 393**, introduced by Hoven, referred to Taxation.

**HB 394**, introduced by Jacobson, B. Bennett, Dudik, Lieser, Pomnichowski, B. Smith, Whitford, Wilson, referred to Federal Relations, Energy, and Telecommunications.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 10**, introduced by Coffin, B. Bennett, Boland, Court, Dudik, Eck, Lieser, MacDonald, McCarthy, McClafferty, Neill, Pomnichowski, Schreiner, B. Smith, Swanson, Whitford, Wilmer, Wilson, Woods, referred to Natural Resources.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 123**, introduced by Van Dyk, Driscoll, Facey, Jent, Kary, F. Moore, Murphy, Peterson, Phillips, Vincent, Welborn, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 71** - Representative MacDonald moved **HB 71** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 82

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Nays: Berry, Brodehl, Doane, Edmunds, Fitzpatrick, Galt, Harris, Howard, Kerns, Knudsen, Laszloffy, O'Neil, Randall, Redfield, C. Smith, Vance, Washburn, Zolnikov.  
Total 18

Voted Absentee: Squires, Warburton, AYE; O'Neil, NO.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 89** - Representative Lynch moved **HB 89** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 195** - Representative Ingraham moved **HB 195** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 200** - Representative Fitzpatrick moved **HB 200** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 239** - Representative C. Smith moved **HB 239** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.  
Total 57

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.  
Total 43

Voted Absentee: O'Neil, Warburton, AYE; Squires, NO.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 15** - Representative Hansen moved **SB 15** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**SB 16** - Representative Coffin moved **SB 16** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Ankney, Wilson.

Total 2

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 30** - Representative Fitzpatrick moved **SB 30** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Kerns, O'Neil, Redfield, C. Smith.

Total 4

Voted Absentee: Squires, Warburton, AYE; O'Neil, NO.

Excused: None.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Total 0

Absent or not voting: None.

Total 0

**SB 32** - Representative Hansen moved **SB 32** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 98

Nays: Ankney, Zolnikov.

Total 2

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 87** - Representative Coffin moved **SB 87** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: B. Bennett, Dudik, Schreiner.

Total 3

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 27** passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McNiven, Mehlhoff, Miller, Moore, Noonan, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Flynn, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, O'Hara, Pease-Lopez, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 33

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: Ehli.

Total 1

**HB 78** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Schwaderer.

Total 1

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**HB 79** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Cuffe, Doane, Kerns, Schwaderer, C. Smith, Vance.

Total 7

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: Edmunds, Hoven, Jones.

Total 3

**HB 133** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 70

Nays: J. Bennett, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hansen, Harris, Jones, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, White, Zolnikov, Mr. Speaker.

Total 27

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Absent or not voting: None.

Total 0

**HB 214** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: McNiven.

Total 1

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

**HB 217** passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

**HB 251** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Dudik, Fitzpatrick, Glimm.

Total 3

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: C. Smith.

Total 1

**HB 258** passed as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Ballance, B. Bennett, Dudik, Greef, Jones, Miller, Redfield, Regier, Schwaderer,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Wagoner, Zolnikov.

Total 11

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

**HB 296** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov.

Total 83

Nays: Cuffe, Fitzpatrick, Halvorson, Hansen, Harris, Jacobson, Lavin, Mehlhoff, Osmundson, Pomnichowski, Regier, Vance, Williams, Mr. Speaker.

Total 14

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

**HJR 5** adopted as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 52

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.  
Total 45

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.  
Total 3

Absent or not voting: None.  
Total 0

**SJR 2** concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: None.  
Total 0

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.  
Total 3

Absent or not voting: Neill.  
Total 1

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 6, 2013

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 351**  
Motion carried.

**HB 351** (Edmunds Chief Sponsor)

B. Bennett, Coffin, Dudik, Gursky, Hill, D. Moore, Schreiner, Steenberg, and Wilson.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, February 7,  
2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

MARK BLASDEL  
Speaker of the House